

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - December 9, 1970

Appeal No. 10602 Macon and Mary A. Williams, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following AMENDMENT in the Order of the Board was entered at the meeting of April 20, 1971.

EFFECTIVE DATE OF AMENDMENT - April 23, 1971

ORDERED:

That the appeal for variance from the requirements of Section 3301 requiring 900 square feet per unit for conversion of flat into an apartment house at 1286 Holbrook Terrace, NE., Lot 175, Square 4055, Order effective March 16, 1971, be amended to read as follows:

FINDINGS OF FACT NO. 3 should read:

The appellant proposes to establish a 3 unit apartment house with two apartments on the first floor and one apartment on the second floor. The bath and bedroom for one of the first floor apartments is located in the basement.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 

PATRICK E. KELLY
Secretary of the Board

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - December 9, 1970

Appeal No. 10602 Macon and Mary A. Williams, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Messrs. Hatton and McIntosh dissenting, the following Order of the Board was entered at the meeting of December 15, 1970.

EFFECTIVE DATE OF ORDER - March 16, 1971

ORDERED:

That the appeal for variance from the requirements of Section 3301 requiring 900 square feet per unit for conversion of flat into an apartment house at 1286 Holbrook Terrace, N.E., lot 175, Square 4055 be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The lot is improved with a two (2) story detached brick structure on a corner lot, and is presently used as a three (3) family flat.
3. Appellant proposes to have one apartment on the second floor and two apartments on the first floor.
4. The appellant alleged that at the time he purchased the building it was a three family flat. The size of the lot is less than required by the Zoning Regulations in the R-4 District, which requires 2700 square feet of land in order to convert to three apartment units.
5. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations

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and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Reference is made to the opinion of the Board forming part of the Order in Appeal No. 8631 for a statement of the reasons of the Board for granting this and similar appeals.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____



PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.